

ORIGINAL**IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA****FILED**
IN COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

NOV - 8 2023

JOHN D. HADDEN
CLERK**KENNETH H. TIBBETTS,****Petitioner,****v.****No. PC-2023-880****THE STATE OF OKLAHOMA,****Respondent.****ORDER GRANTING POST-CONVICTION APPEAL OUT OF TIME**

Petitioner requests, and the district court recommends, that a post-conviction appeal out of time be granted in Beckham County District Court Case No. CF-2015-188. A copy of Petitioner's application for post-conviction relief filed in the district court seeking a post-conviction appeal out of time is included in the post-conviction appeal record filed with this Court. Petitioner's request is **GRANTED**.

Petitioner is directed to lodge the appeal in accordance with Rules 2.1(E)(3) and 5.2(C), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch. 18, App. (2023). **Time periods commence on the date of this order. The Notice of Post-Conviction Appeal must be filed in the District Court within twenty (20) days from the date of this order, as required by Rule 5.2(C)(1). The Petition in Error,**


EXHIBIT 30

supporting brief, and a certified copy of the district court order being appealed must be filed with this Court within thirty (30) days from the date of this order, as required by Rule 2.1(E)(3). The Petition in Error shall reference this order granting Petitioner a post-conviction appeal out of time. Pursuant to Rule 3.15, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch. 18, App. (2023), the **MANDATE** is **ORDERED** issued upon the delivery and filing of this decision.


IT IS SO ORDERED.

WITNESS OUR HANDS AND THE SEAL OF THIS COURT this

8th day of November, 2023.



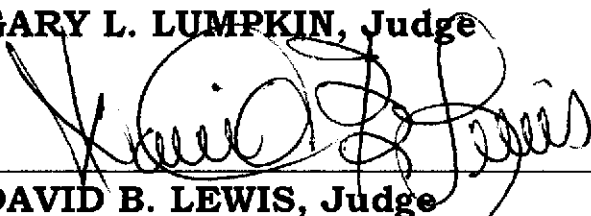
SCOTT ROWLAND, Presiding Judge



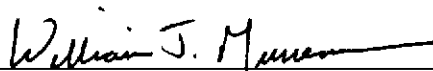
ROBERT L. HUDSON, Vice Presiding Judge



GARY L. LUMPKIN, Judge

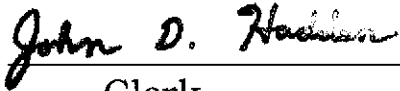


DAVID B. LEWIS, Judge



WILLIAM J. MUSSEMAN, Judge

ATTEST:



Clerk

PA